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UNCLAS SECTION 01 OF 20 TEGUCIGALPA 000459

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STATE FOR G/TIP, DRL/IL, DRL/PHD, AND INL/LP
STATE FOR WHA/PPC, WHA/CEN, PRM, CA, AND G/IWI
STATE PASS AID FOR LAC/CAM
DOL FOR ILAB
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SUBJECT: HONDURAS TRAFFICKING IN PERSONS REPORT 2005/2006

REF: (A) 06 State 3836 (2006 TIP report instructions)
(B) 05 Tegucigalpa 457 (2004/2005 TIP report)
(C) 06 Tegucigalpa 247 (Anti-TIP project proposal)
(D) 05 Tegucigalpa 1808 (TIP speaker)
(E) 05 Tegucigalpa 1302 (TIP-related arrests)

11. (SBU) The following is the 2005/2006 Anti-Trafficking in Persons (TIP) Report input for Honduras, responding to questions posed in ref A. Post point of contact is Political Officer Swati M. Patel, phone: (504) 236-9320, ext. 4394, IVG phone: 539-4394, fax: (504) 238-4446, and unclassified and classified e-mail. Two spring interns spent a total of 100 hours in preparation of this report. One FS-5 spent 50 hours in preparation of this report, one LES spent 10 hours in preparation of this report, and one FS-2 spent 10 hours in preparation of this report.

Post would like to highlight that in August 2005, the Honduran Congress passed a reform to Chapter 2 of the Penal Code that now encompasses almost all forms of Commercial Sexual Exploitation (CSE) and Trafficking in Persons (TIP) with an increase in penalties and jail time. The legislation was signed on September 28, 2005, and published on February 4, 2006 in La Gaceta (the Honduran version of the Federal Registrar) making it enforceable. This new law is the most significant anti-TIP advance since the last TIP report, and is a watershed in the GOH's efforts to prevent and prosecute TIP, and to protect potential TIP/CSE victims.

Detailed answers to the questions raised in ref A are below.

Question 21. OVERVIEW

1A. IS HONDURAS A COUNTRY OF ORIGIN, TRANSIT OR DESTINATION FOR INTERNATIONAL TRAFFICKED MEN, WOMEN OR CHILDREN? Yes. Honduras is a point of origin and transit for internationally trafficked women and children.

-- SPECIFY NUMBERS FOR EACH GROUP? There are no authoritative numbers available, but Post estimates that there are significantly more than 100 TIP victims.

-- DOES THE TRAFFICKING OCCUR WITHIN HONDURAS' BORDERS? Trafficking also occurs within the country's borders.

-- DOES IT OCCUR IN TERRITORY OUTSIDE OF THE GOVERNMENT'S CONTROL? There is no territory technically outside of the government's control; however, trafficking does occur in regions where the government's presence and day-to-day control is minimal, as well as in areas with more significant GOH presence.

-- ARE ANY ESTIMATES OR RELIABLE NUMBERS AVAILABLE AS TO THE EXTENT OR MAGNITUDE OF THE PROBLEM? Some estimates exist, but reliable statistics are not available for most issues in this poor, developing country. However, from the evidence available, it appears that there are "a significant number of victims of severe forms of trafficking." Qualitative statistics are a problem not only for Honduras, but also for the region. At the latest sessions of the Inter-American Commission on Human Rights this problem was posed before the Commission, and it was suggested at the Commission that a centralized information system be created in order to compile, organize, analyze, and distribute data on TIP and CSEC.

In 2002 the International Labor Organization (ILO) International Program on the Elimination of Child Labor (IPEC) published a study of CSEC based on interviews with 100 victims (86 girls and 14 boys) in Tegucigalpa and San Pedro Sula. The study covers levels of poverty, pregnancy rates, previous sexual abuse, place of exploitation, and assistance received by the children. In March 2002, the NGO Casa Alianza published a report "Investigation on the Trafficking, Sex Tourism, Pornography and Prostitution of Children in Central America and Mexico," which also does not include statistical information of the extent of the problem in

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Honduras. In October 2002, DePaul University's International Human Rights Law Institute published the report "In Modern Bondage: Sex Trafficking in the Americas." The book is a comparative analysis of efforts to combat sex trafficking in Belize, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. It does not include statistical information of the extent of the problem in Honduras. Likewise, in 2006, John Hopkins University released the third edition of the Protection Project: "Human Rights Report on Trafficking in Persons, Especially Women and Children." However, it too does not include statistical information. The U.S. Department of Labor (DOL) funded an ILO/IPEC "Statistical Program for Advocacy on the Elimination of Child Labor and the Protection of Working Children in Central America and the Dominican Republic (SIMPOC)." This USD 2,210,173 project began in October 1999 and was scheduled to end in December 2003, but was extended through June 2004. It funded household surveys designed to gather information about the magnitude of child labor in Central America, including in Honduras. IPEC published a synthesis of the results of this study in May 2004, but it is based on 2002 data already published.

The NGO Friend of the Children Foundation said that, from 1990 to 2003, 408 cases of missing children had been reported to the NGO. It is unknown how many of these children may have been trafficking victims. Save the Children UK did a study with the Honduran police of CSEC in the San Pedro Sula area, but this study was never published. In December 2003, Casa Alianza released a study estimating that there are approximately 8,335 children who are victims of some form of CSEC in Honduras. The report also identified 1,019 children (979 of whom were female) who are being commercially sexually exploited. While details of this report are not available publicly, Post later learned that the most victims were found in Tegucigalpa, San Pedro Sula, Tocoa, Tela, and Puerto Cortes (in that order), and that the study found CSEC to be concentrated in two zones: the North-South commercial corridor and the North (Caribbean) Coast. In October 2005, Casa Alianza estimated that approximately 10,000 children in 20 cities of Honduras are affected by CSE/TIP, with

approximately 400 of them being boys. Casa Alianza also cited the Mexican National Statistical Institute's statistic of 12,000 deportations of Hondurans annually, primarily based on alien smuggling/TIP, with daily deportations of 30 to 40 children of Guatemalan or Honduran nationality.

In March 2004, Casa Alianza released the results of a nine-month investigation into CSEC in Guatemala City, in which it identified 688 girls that were CSEC victims. At least ninety-eight of these were Hondurans; in many cases Casa Alianza was unable to determine the nationality. On the demand side, ILO/IPEC in 2004 released a qualitative study that focused on the demand for CSEC in Central America, Panama, and the Dominican Republic. The office of the Human Rights Ombudsman runs a 1-800 type number for complaints of human rights violations. The office reports having received 42 alleging possible TIP-related calls in 2004: two for "slavery and servitude," one for "trafficking in women and forced prostitution," 14 for "economic exploitation," and 25 for "sexual exploitation." The office works to refer these complaints to the appropriate authorities. The NGO Center for the Investigation and Promotion of Human Rights (CIPRODEH) runs a program to address sexual abuse of children in Atlantida department (North Coast). It reports anecdotal evidence, though no hard statistics, of CSEC in this region, possibly including child sex tourism.

Post notes that the vast majority of Honduran migrants are economic migrants who go of their own free will and are not subject to forced labor in the countries to which they migrate.

-- WHAT ARE THE SOURCES OF AVAILABLE INFORMATION ON TRAFFICKING IN PERSONS? Available sources of information include Honduran government officials in the Ministry of Government and Justice, including Immigration; the Ministry

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of Public Security, including the Directorate of Special Investigations (DGSEI), the Frontier Police (part of the DGSEI), as well as the Preventive Police - including the Division Against Abuse, Traffic and Child Sexual Exploitation (DATESI), and the Criminal Investigative Police (DGIC); the Public Ministry (Attorney General and prosecutors); the Ministry of Foreign Affairs; the Minister of Women's Affairs; and the Honduran Institute for Children and the Family (IHNFA); the Human Rights Ombudsman's office; international organizations, including UNICEF and the International Organization for Migration (IOM); and multiple NGO representatives, including CIPRODEH (the UNHCR representative in Honduras), Save the Children UK, Center for the Study of Women - Honduras (CEM-H), Friend of the Children Foundation, and Casa Alianza.

-- HOW RELIABLE ARE THE NUMBERS AND THESE SOURCES? The sources of information are reliable, but as previously stated, statistics are generally not available for TIP in Honduras, with the exception of the December 2003 Casa Alianza study noted above. IHNFA has been undergoing a restructuring and has significant problems in the recent past.

-- ARE CERTAIN GROUPS OF PERSONS MORE AT RISK OF BEING TRAFFICKED? Women and girls are trafficked more often than men and boys. Casa Alianza estimates that approximately 90 percent of minors trafficked from Honduras are girls.

1B. PLEASE PROVIDE A GENERAL OVERVIEW OF THE TRAFFICKING SITUATION IN HONDURAS AND ANY CHANGES SINCE THE LAST TIP REPORT.

Prosecution

The GOH has demonstrated a willingness and ability to investigate and prosecute TIP cases on related charges, and

this was prior to the newly passed legislation against commercial sexual exploitation. In the area of investigations, arrests, and prosecutions, progress has been made on an increasing number of TIP-related cases over the last year. Raids of centers of possible underage prostitution continued with arrests of perpetrators and victims being assisted. The recently passed legislation on commercial sexual exploitation/trafficking in persons (CSE/TIP), which came into force February 4, 2006, has strong support (see Question 23-A). This new law is a watershed in the GOH's efforts to prevent and prosecute TIP, and to protect TIP victims. With respect to data collection efforts, Post has submitted a project proposal to fund a Save the Children UK project in coordination with Post's Narcotics Affairs Section (NAS) to work with the division within the Preventive Police that focuses on the abuse, smuggling, and sexual exploitation of children (DATESI) to create a National Archiving and Processing System for the registration and follow-up of CSEC cases. This system would be connected as part of the national criminal database that will soon go online (ref C).

Protection

The GOH continues to work with NGOs to identify victims of both internal and transnational trafficking and ensure that victims receive assistance. In Yunque, Ocotepeque, there is a shelter for the returned minors, women and disabled migrants with support from the Catholic Church, International Office of Migration (IOM) and Honduran Institute for Children and the Family (IHNFA). The Public Ministry committed to dedicating one prosecutor to the shelter specifically to identify TIP victims and investigate the modus operandi of traffickers. This inter-agency effort with close cooperation from NGOs like Casa Alianza is an important step forward. The GOH works closely with NGOs to refer women and children to shelters as appropriate.

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Prevention

Senior GOH officials of the Maduro Administration, including the Ministers of Foreign Affairs, the Presidency, Government and Justice, and Public Security, as well as the Attorney General and the President of the Supreme Court, have all expressed to USG officials their commitment to combating TIP and are prioritizing resources from their strained budgets to prevent and combat TIP. Post is working to highlight the importance of TIP with the new Zelaya Administration officials (sworn in January 27, 2006). The inter-institutional commission on commercial sexual exploitation has conducted numerous regional seminars on CSE/TIP. Both the commission and the ILO/IPEC program on combating CSEC have conducted training for GOH officials. The UNICEF/GOH public information campaign against trafficking and CSEC has raised awareness among the general public, and there has been growing media coverage of CSE/TIP. In January 2005, IOM, using PRM funding, implemented a well-attended two-day seminar on trafficking to train mid- and high-level GOH officials on all aspects of TIP. The Deputy Director of the Migration Police, who attended the IOM training, subsequently used the seminar materials to train all of her staff on recognizing and investigating TIP. The Public Ministry together with UNICEF conducted a total of 10 training sessions throughout 2005 on the prevention of TIP and commercial sexual exploitation of children (CSEC) to transportation and hotel owners in Tegucigalpa and San Pedro Sula, of which there were a total of 84 participants. Using funding from G/TIP, in 2005, NAS conducted four basic criminal investigative training courses in Tegucigalpa and San Pedro Sula to improve TIP investigations and prosecutions. Overall, 108 people participated, including investigators, judges, attorneys and police officers -

attendees primarily from the Public Ministry and the Migration Police. At the end of March 2006, NAS is sponsoring a two-week TIP training session in Tegucigalpa, which will include many of the aforementioned governmental players as well as numerous NGO participants. In February 2006, NAS also donated new equipment worth USD 13,000 to DATESI to help with training and for a more unified database. GOH police and prosecutors are active in a DHS/ICE-organized regional task force on TIP/alien smuggling, and have actively participated in regional law enforcement and migration conferences that address CSE/TIP. The Special Prosecutor for Children is working with her counterpart in Guatemala on locating and repatriating Honduran children who are victims of CSE/TIP of CSEC in Guatemala. The Attorney General has communicated with the Guatemalan Attorney General on the need for coordinating bilaterally on TIP cases.

Finally the finalizing and official publication of TIP/CSE legislation reform, along with other anti-TIP efforts over the last year and up to the present, have demonstrated that there is a very strong political/institutional will to combat CSE/TIP in Honduras.

The following are recent TIP-related cases in Honduras:

Internal TIP/CSE:

-- The Special Prosecutor for Children is continuing to conduct operations jointly with the police, IHNFA, judges, and Casa Alianza, to rescue CSEC victims and arrest and prosecute those responsible.

-- Cases continue against several bars and massage parlors accused of CSEC, specifically prostitution. There is an outstanding arrest warrant for pimping children for the Spanish owner of the Titanic bar in Tegucigalpa, Jose Maria Vega Llorenti. He is believed to have fled to Spain; the bar's manager, a Honduran woman, is under arrest. In another case there is an outstanding arrest warrant for a fugitive Honduran man for running a "massage parlor" with minor prostitutes.

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-- As previously reported, Honduran authorities arrested American citizen Timothy Shea Hogan on July 15, 2003, for alleged commercial sexual exploitation of five Honduran girls in Danli. He was convicted October 21, 2004, and on October 23, 2004, was sentenced to 47 years in jail. This case involved close cooperation between U.S. and Honduran law enforcement authorities. He faces possible U.S. Protect Act charges upon the completion of his sentence in Honduras.

-- Including Timothy Shea Hogan, the GOH has prosecuted six American citizens in the last five years, all on charges related to crimes against children. Three were involved in a club in San Pedro Sula that involved pimping and pandering to minors. The other prosecutions were for lechery against a minor, Internet pornography, and sexual abuse of minors. One U.S. convict escaped from jail, and one jumped parole; both of these two are reportedly back in the U.S.

-- In a child pornography case in 2005, one Honduran man was arrested in Tegucigalpa for exploiting two Honduran girls to make child pornography. No further details are available at this time.

-- Another U.S. citizen was arrested in La Ceiba in January 2006, but has not yet been prosecuted. He was arrested for child pornography and was found to have pictures and videos of child pornography, along with magazines, massage oils, computers, and other equipment used for the pornography. Due to his status as a senior citizen, he is being held under house arrest.

- - Post is awaiting more updated information on specific internal TIP/CSE cases from the Special Prosecutor for Children.

Transnational TIP/CSE:

-- As previously reported, Honduran police arrested Chinese naturalized Hondurans Hu Weng Rong (December 9, 2003) and He Jia Bin (December 11, 2003) in San Pedro Sula for involvement in an alien smuggling ring for People's Republic of China (PRC) nationals using fraudulent documents. Both are still in jail pending prosecution for charges of alien smuggling, false documents, possessing equipment to create false documents, and money laundering. These cases could have some TIP elements, as it is possible that the Chinese being smuggled would have been subject to debt bondage to pay off their smuggling fees. The office of the Special Prosecutor for Organized Crime reports that the various Chinese smuggling networks in Honduras are all related, and that the transit of Chinese through Honduras has decreased significantly from 2003 to 2004, at least in part because of aggressive GOH efforts to combat these networks in conjunction with DHS/ICE. The prosecution of He Jia Bin has been problematic, and complaints have been lodged against three judges in this case.

-- As previously reported, Honduran police arrested two Taiwanese citizens in 2003 on charges of alien smuggling in cases that could have some TIP elements, as it is possible that the Chinese would have been subject to debt bondage to pay off their smuggling fees. The Taiwanese were caught trying to smuggle PRC nationals to the U.S. via San Pedro Sula using fraudulent documents. Chen Ke Jung, arrested in San Pedro Sula on October 12, 2003, has since violated probation status and is currently a fugitive. Lin Wei-Chung, arrested December 26, 2003, was charged with alien smuggling and false documents but released on bail in March 2004 and fled in April 2004. Taiwanese authorities in Honduras issued an alert to all Central American countries to prevent Lin from obtaining a passport. Taiwan consular officials report that Lin applied for and was denied a passport in Guatemala in May 2004. The actions of Judge German Garcia in these cases have been suspect. The Special Prosecutor for Organized Crime has lodged a complaint against him.

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-- As previously reported, Honduran authorities arrested six people (three men and three women) in Tocoa in October 2003 for alien smuggling and money laundering, and charged two of the men with aggravated alien smuggling because of alleged sexual exploitation of their victims. These two men are alleged to have forced three women to have sex in exchange for their illegal passage from Honduras to Guatemala/Mexico/U.S. The men are in jail and the women are under house arrest, and the case is pending.

-- As previously reported, according to the Honduran newspaper La Tribuna, Guatemalan security forces in early February 2003 discovered nine children, two of them Honduran, who were being held captive in Guatemala City. According to the children's account, adults claiming to be Evangelical pastors recruited them. The "pastors" promised the children that, upon arrival, they would have plenty of food, friends and toys. In reality, the children, between eleven and fifteen years old, were forced to sell drugs, candy, and clothing in the streets. At night, they were chained together to prevent escape. The victims were physically abused and were given only bread and beans to eat. Guatemalan police arrested two Guatemalans whom police believed to be responsible soon after the victims were discovered.

-- As previously reported, DHS/ICE officials, working jointly with the FBI and local police, in Fort Worth, Texas on May

16, 2002, busted an illegal immigration/trafficking operation in which at least 39 Honduran women, among them five girls, were prostituted in area bars and subject to debt bondage. Honduran police, working closely with DHS/ICE, arrested ringleader Roger Galindo in San Lorenzo, Honduras on February 5, 2004. Also arrested February 5 were Marlene de Jesus Aguilar Galindo (Galindo's cousin) and Sabina Zepeda (his mother); Maria Isabel Cruz Zamora (his common law wife) is still a fugitive with pending Honduran and U.S. arrest warrants. Roger Galindo and the others had been fugitives since the original arrests in 2002. This case is a good example of GOH ability to obtain TIP-related convictions in spite of the previous limitations of the law. Roger Galindo and Sabina Zepeda were convicted October 21, 2004 in Honduras of aggravated alien smuggling because of the elements of exploitation and deprivation of liberty in the case. Both were sentenced to ten years imprisonment. Marlene de Jesus Aguilar Galindo was acquitted, but the Honduran prosecutor appealed the case, and a Supreme Court resolution is pending.

-- On April 15, 2004 three individuals were detained in a case in San Pedro Sula involving the smuggling network Chinchilla Leon. The individuals were charged with alien smuggling, money laundering, falsification of public documents, and impersonation. Three other individuals are fugitives and have outstanding arrest warrants. This case is still pending, and it is not yet clear if there are elements of trafficking in this case.

-- The office of the Special Prosecutor for Organized Crime, working with DHS/ICE, has been investigating since 2005 four cases that may involve trafficking. In Danli, there is a case that appears to be trafficking for commercial sexual exploitation in Guatemala; one female minor died in this case. The recruiter and transporter have been detained, and the prosecutor is close to filing charges. There is another case under investigation in which women and girls were apparently trafficked from Honduras to El Salvador and tricked into prostitution. There is one suspect detained in this case. Finally, a case of possible trafficking of children from Honduras to Costa Rica is being investigated. This is a delicate case involving a respected religious organization. The purpose of the smuggling seems to have been adoption, and it is not yet clear whether the children could be considered trafficking victims. In all three cases, the GOH is cooperating closely with police and prosecutors in the destination countries.

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-- In 2005, A Honduran man, Marvin Gerard Erazo Caballero, was arrested and three Honduran girls rescued in Guatemala. The girls were apparently brought from Honduras to Guatemala, enrolled in a school, and forced to participate in the making of child pornography as well as the recruitment of other girls for the same purpose. The Honduran Special Prosecutor for Children working closely with her Guatemalan counterpart on this case.

-- The Special Prosecutor for Children is currently investigating a possible CSEC involving Honduran girls sexually exploited, possibly using the Internet, in Honduras and Guatemala. This led to the arrest in Talanga (outside Tegucigalpa) of two Honduran sisters, and the rescue of two Honduran teenage minors in 2005. The girls were beguiled with false job offers in Guatemala and were forced to work in prostitution. After being rescued, they were repatriated to Honduras. There are pending arrest warrants for two men (one Guatemalan, Walter Herminio Ramirez Arocha, and one Honduran, Luis Gustavo Franco). The Special Prosecutor for Children, Nora Urbina, went to Guatemala City in early April 2005 to work on this case and try to rescue additional Honduran girls being commercially sexually exploited with the assistance of Guatemalan authorities. Urbina continues to build a larger case and is gathering allegations from more victims currently in Honduras.

-- In January 2005 nineteen Honduran women and girls who were possibly victims of trafficking were detained in New Jersey. Six of the nineteen are minors. The women and girls were allegedly forced to work in a bar to try to get male patrons to purchase drinks, and were allegedly encouraged to prostitute themselves, both of these to earn money to pay off their smuggling fees. Eleven people have been detained in this case, and three of them have pleaded guilty of harboring, smuggling and forced labor. Four of them have been detained in Honduras and charged with smuggling and money laundering, and two of them are fugitives. The trial for this case will take place in the U.S. in the September/October 2006 timeframe. As investigations continue in the U.S., Honduran police and prosecutors, working with DHS/ICE, have identified and are investigating recruiters and smugglers in Honduras.

-- In February of 2006, 18 Honduran minors were deported from Mexico and are in the process of being sent back to Honduras. Four of them were reportedly being trafficked for prostitution, though none of them had actually been prostituted at the time they were rescued. Some were offered jobs while others the promise of reuniting with families in the United States. All 18 were found after having fled or been abandoned by the "coyotes" in Mexico.

-- In March of 2006, four young Honduran girls were rescued from a prostitute house in Tapachula, Mexico, after being taken from their neighborhood in Honduras. The mothers of the children sought help from the Directorate General of Criminal Investigation (DGIC). Carlos Ruiz Garcia is being detained by Mexican police and is accused of trafficking the girls to his friend's brothel in Tapachula, Mexico. Neighbors in the San Lorenzo neighborhood say that this is not the first time that Garcia has taken minors to Mexico. He is currently under investigation.

- Post is awaiting more updated information on specific transnational TIP/CSE cases from the Special Prosecutor Against Organized Crime and the Special Prosecutor for Children.

-- HAVE THERE BEEN ANY CHANGES IN THE DIRECTION OR EXTENT OF TRAFFICKING SINCE THE LAST TIP REPORT? Due to the general lack of comprehensive statistics on TIP issues it is difficult to assess if there has been a change in the direction or extent of trafficking. However, qualitatively speaking, the political will to combat CSE/TIP has strengthened as can be witnessed by the passage of new tougher legislation. As detailed above, the GOH is

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investigating and prosecuting several cases, some of which began prior to 2004 and some of which are new cases.

-- BRIEFLY EXPLAIN THE POLITICAL WILL TO ADDRESS TRAFFICKING IN PERSONS. The GOH is strongly opposed to trafficking in persons. Senior officials of the Maduro Administration, including the Ministers of Foreign Affairs, the Presidency, Government and Justice, and Public Security, as well as the Attorney General and the President of the Supreme Court, have all expressed to USG officials their commitment and prioritized resources from their strained budgets to prevent and combat TIP. Post is working to highlight the importance of TIP with the new Zelaya Administration officials (sworn in January 27, 2006). This bipartisan political will is best exemplified by the historic reform of TIP/CSE legislation that became law in February 2006 (see Question 23-A). Honduran authorities are striving to combat trafficking with the extremely limited resources they have. The reform to the Criminal Code, however, is a significant show of GOH good faith.

-- WHICH POPULATIONS ARE MOST TARGETED BY TRAFFICKERS? Women and girls are trafficked more often than men and boys. Casa

Alianza estimates that approximately 90 percent of minors trafficked from Honduras are girls.

-- WHO ARE THE TRAFFICKERS? Most traffickers are apparently Honduran, Guatemalan, and/or Mexican citizens, and in some cases Chinese or Taiwanese, but information is limited. Many of them are reportedly "coyotes" (alien smugglers).

-- WHAT METHODS ARE USED TO APPROACH VICTIMS? In a majority of cases, traffickers apparently pose as "coyotes," claiming that they will facilitate border crossings and help immigrants get to other countries in Central America, Mexico, and/or ultimately the U.S. In some cases, the victims are promised jobs that do not involve exploitation. In reality, the would-be immigrants become victims as they are forced into commercial sexual exploitation, drug trafficking, and/or debt bondage. In a previously mentioned case involving children trafficked for drug sales, the children claimed that their traffickers had posed as pastors. While information is limited, it appears that many victims are subjected to threats and/or violence. Documents can be withheld from victims until they pay for passage in a form of debt bondage.

-- WHAT METHODS ARE USED TO MOVE THE VICTIMS? To move between four countries in Central America (CA-4 - El Salvador, Guatemala, Honduras, and Nicaragua) children only need a birth certificate (and, if not traveling with both parents, a notarized letter from the parent(s)); adults only need a national identification document (carnet) or a CA-4 certificate (without a photograph) identifying oneself as a Central American citizen. NGO and government officials suspect that traffickers falsify these documents and/or passports, bribe low-level Honduran, Guatemalan, Nicaraguan, and/or Salvadoran Immigration officials at the border or airport, or bring victims out of Honduras by avoiding designated border crossings. Anecdotal accounts state that some victims may be drugged so as to be more docile during transit. There are also reports of trafficking of persons hidden in containers meant to fool border inspectors. Central American governments are in the process of streamlining customs and immigration processing, and it is not yet clear what the full implications will be for illicit transnational activities such as trafficking in persons.

1C. WHAT ARE THE LIMITATIONS OF GOH'S ABILITY TO ADDRESS TIP IN PRACTICE (POLICE FUNDING, INSTITUTIONAL FUNDING, CORRUPTION, RESOURCES FOR VICTIM AID)? The Government, in this as in virtually every law enforcement sector, lacks the resources necessary to address this problem to a greater extent. Funding for Immigration, the Frontier Police, Migration Police, the Public Ministry, and other relevant institutions is inadequate. Corruption throughout the GOH and the judicial sector is an ongoing problem that hampers the GOH's ability to enforce the law in general.

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1D. TO WHAT EXTENT DOES THE GOVERNMENT SYSTEMATICALLY MONITOR ITS ANTI-TRAFFICKING EFFORTS (ON ALL FRONTS -- PROSECUTION, PREVENTION AND VICTIM PROTECTION) AND PERIODICALLY MAKE AVAILABLE, PUBLICLY OR PRIVATELY AND DIRECTLY OR THROUGH REGIONAL/INTERNATIONAL ORGANIZATIONS, ITS ASSESSMENTS OF THESE ANTI-TRAFFICKING EFFORTS? The GOH has a limited ability to monitor its efforts against trafficking. The inter-institutional commission on commercial sexual exploitation reviews the GOH's efforts against CSEC and trafficking, and is striving to improve the GOH's efficacy in these areas. The active NGO community including Casa Alianza that participates in the inter-institutional commission plays an important role in this monitoring effort.

Question 22.

PREVENTION:

1A. DOES THE GOH ACKNOWLEDGE THAT TRAFFICKING IS A PROBLEM IN

HONDURAS? Yes, the GOH acknowledges that trafficking is a problem in Honduras.

1B. WHICH GOVERNMENT AGENCIES ARE INVOLVED IN ANTI-TRAFFICKING EFFORTS AND WHICH AGENCY, IF ANY, HAS THE LEAD? The Ministry of Government and Justice, which includes Immigration; the Ministry of Public Security, which includes the Preventive Police - including the Division Against Abuse, Traffic and Child Sexual Exploitation (DATESI), the Criminal Investigative Police (DGIC), the Directorate of Special Investigations (DGSEI), including the Frontier Police (part of the DGSEI and the police force for both Immigration and Customs) and the Division of Immigration Police that investigates cases of TIP and alien smuggling; the Ministry of Foreign Affairs; the National Institute of Women, the Honduran Institute for Children and the Family (IHNFA); other executive branch agencies; the Public Ministry (Attorney General and all prosecutors); the Human Rights Ombudsman's office; the judicial system; and the Congress.

1C. ARE THERE OR HAVE THERE BEEN ANTI-TRAFFICKING INFORMATION OR EDUCATION CAMPAIGNS? Yes. The GOH, in conjunction with UNICEF, has implemented a public information campaign against trafficking and commercial sexual exploitation. UNICEF received a USD 2.5 million grant from the Government of Italy to prevent and combat trafficking in persons and commercial sexual exploitation in Central America. The first part of the grant, USD 247,000, is for this public information campaign and is benefiting El Salvador, Guatemala, Honduras, and Nicaragua. Casa Alianza conducted informational campaigns in Tela, Santa Rosa de Copan, Entrada Copan, and in Tegucigalpa. They were also able to obtain some free PSA media space to launch campaigns, however those instances were neither systematic nor permanent. Currently Casa Alianza is focusing on launching informational campaigns via investigative journalism articles. Past efforts have included public relations campaigns against illegal immigration in general, including one sponsored by the USG. There have also been informational campaigns on women and children's rights, including one led by the United Nations Development Program (UNDP).

-- BRIEFLY DESCRIBE THE CAMPAIGN(S), INCLUDING THEIR OBJECTIVES AND EFFECTIVENESS. The GOH/UNICEF campaign includes billboards calling for a halt to trafficking in persons, especially commercial sexual exploitation. Casa Alianza's information campaigns targeted children, parents, and the authorities of the respective cities. The objectives of the informative campaigns included facilitating a public understanding and awareness of TIP and CSEC as a phenomenon and a crime, training the authorities on the Judicial, Executive, and Legislative systems, and lobbying for TIP legislation reform and the creation of a national plan for the prevention and eradication of TIP and CSEC. The Casa Alianza PSA campaigns included several public service announcements for television on preventing commercial sexual exploitation and urging people to report to the authorities

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any instances of such crimes. The anti-illegal immigration public relations campaign focused on the risks associated with attempting to travel from Honduras to the U.S. as an illegal immigrant and entering the U.S. illegally. The Embassy via the Narcotics Affairs Section (NAS) and in conjunction with the Public Affairs Section (PAS) is supporting approximately 50 NGOs with an annual amount of USD 100,000 to help promote TIP awareness among other projects.

-- DO THESE CAMPAIGNS TARGET POTENTIAL TRAFFICKING VICTIMS AND/OR THE DEMAND FOR TRAFFICKING? All of these campaigns are focused on the potential trafficking victims. They target "clients" of commercial sexual exploitation to a lesser extent.

1D. DOES GOH SUPPORT OTHER PROGRAMS TO PREVENT TRAFFICKING? (E.G. TO PROMOTE WOMEN'S PARTICIPATION IN ECONOMIC

DECISIONMAKING OR EFFORTS TO KEEP CHILDREN IN SCHOOL.) PLEASE EXPLAIN. The GOH Inter-Institutional Technical Committee on Gender supported gender units in five government ministries, and there is a special working women's division in the Ministry of Labor to coordinate government assistance programs that have a gender focus and that are targeted for women. A number of social and educational programs exist that are intended to reach children at risk for working instead of attending school. ILO/IPEC has programs focused on the eradication of the worst forms of child labor, including combating the commercial sexual exploitation of children, child labor in melon and coffee production, children working as lobster divers, children working in the garbage dump of Tegucigalpa, and child domestic workers. In addition, the GOH is participating in a USD 5.5 million DOL-funded regional project implemented by CARE USA to combat child labor through education, which includes direct action in Honduras, from September 2004 - September 2008. The Ministry of Education has developed an Education for All plan to increase access to preschool and primary education; improve the quality of preschool and primary education by encouraging new teaching methods, improving curriculum, and reducing drop-out rates, repetition, and desertion rates; and increase student achievement. In October 2003, the Government signed a Memorandum of Understanding with representatives of the World Bank and other international donors to help the country reach its Education for All goals. A school grant program run by the Ministry of Education provides very poor families with money for school supplies. The Ministry of Education also provides alternative schooling by radio and long-distance learning for children in distant rural areas with few schools. Regional committees of "Child Defense" volunteers try to convince parents to send their children to school. The National Commission for the Gradual and Progressive Eradication of Child Labor has been operating since September 1998 to coordinate all GOH activities to combat child labor and reincorporate working minors into educational programs.

1E. WHAT IS THE RELATIONSHIP BETWEEN GOVERNMENT OFFICIALS, NGOS, OTHER RELEVANT ORGANIZATIONS AND OTHER ELEMENTS OF CIVIL SOCIETY ON THE TRAFFICKING ISSUE? There is a good working relationship between GOH officials, international organizations, NGOs, and other elements of civil society on trafficking. In 2004, under the leadership of the Honduran delegate to the OAS Women's Commission, Ambassador Soledad de Ramirez, and 52 GOH entities, international organizations, and NGOs have participated in an inter-institutional commission that developed a national plan against the commercial sexual exploitation of children for 2003-2006. The GOH works closely with Casa Alianza on CSEC cases. As previously stated a total of 30 CSEC operations were conducted in 2005 with the coordinated efforts of the GOH, IHNFA, Casa Alianza, Preventative and Investigative police, and the office of the First Lady. The seminars mentioned above are also examples of productive cooperation between the GOH and NGOs.

1F. DOES IT MONITOR IMMIGRATION AND EMIGRATION PATTERNS FOR EVIDENCE OF TRAFFICKING? The GOH does limited monitoring of

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immigration and emigration patterns, including tallying numbers of third country nationals deported from Honduras on a monthly basis, generating some statistics that might be analyzed to develop potentially useful information in determining trafficking trends. A Department of State Bureau of International Narcotics and Law Enforcement (INL) funded project provided USD 411,000 to Honduran Immigration to develop a machine-readable passport and associated computer system that assists the GOH's ability to monitor immigration and emigration patterns. The machine-readable passport issuance system is in place in three offices in Honduras, and high-volume consulates overseas. An associated system of biometric identification is in place at key land borders with Guatemala, El Salvador, and Nicaragua at major airports.

Honduran authorities work closely with DHS/ICE on potential trafficking cases.

-- DO LAW ENFORCEMENT AGENCIES SCREEN FOR POTENTIAL TRAFFICKING VICTIMS ALONG BORDERS? The Migration Police and Frontier Police are quick to respond to information they receive concerning possibly trafficking, including TIP. The Government tries to monitor its borders but given its limited resources, maritime borders in the Gulf of Fonseca on the Pacific coast, and extensive land borders with El Salvador, Guatemala, and Nicaragua, the GOH only adequately monitors its borders at designated crossing points. There is no attempt nor are there resources to monitor the borders outside of these checkpoints in key border crossing areas. Immigration only has approximately 300 employees and the Frontier Police only has approximately 175 employees. GOH's ability to monitor and analyze emigration trends to determine evidence of trafficking is limited.

1G. IS THERE A MECHANISM FOR COORDINATION AND COMMUNICATION BETWEEN VARIOUS AGENCIES, INTERNAL, INTERNATIONAL, AND MULTILATERAL ON TRAFFICKING-RELATED MATTERS, SUCH AS A MULTI-AGENCY WORKING GROUP OR A TASK FORCE? As previously stated, several GOH entities, international organizations, and NGOs have participated in an inter-institutional working group that developed a national plan against CSEC for 2003-2006. This has proven to be an important venue for sharing information and focusing on improving deficiencies in preventing and combating trafficking. Also, the Public Ministry and IOM, with the input of various other GOH entities and civil society groups are currently working on the last stages of the development of an official protocol procedure for the repatriation to from other countries in the region to Honduras of child and adolescent victims of TIP.

The GOH, along with other Central American countries, Mexico, the U.S., and Canada, is a participant in the Regional Conference on Migration. While devoted to migration issues in general, it addresses trafficking as part of this scope. One of its three main objective concerns the protection of the human rights of migrants. As previously noted, the Ministry of Foreign Affairs had a representative of the Inter-American Commission of Women, Ambassador Soledad de Ramirez. During her tenure in office, Ambassador Ramirez used her position to aggressively work to prevent and combat trafficking in persons. From July 28-30, 2004, Honduras hosted a meeting of the Central American and Caribbean policewomen's Association, which had a segment focused on CSE/TIP. The Special Prosecutor for Children participated in a recent regional meeting in Costa Rica of Prosecutors for Children's Issues to discuss regional anti-CSE/TIPC cooperation. IHNA recently signed an agreement with the Inter-American Children's Institute for cooperation and information exchange on cases of human rights violations of children, including CSE/TIPC. The focus will be on cases that involve more than one country. In August 2005, Casa Alianza organized and coordinated a regional meeting in Copan between prosecutors, police investigators, and INTERPOL representatives from Honduras, Guatemala, and Nicaragua, during which the topic of discussion was establishing regional coordinated action procedures for investigations, repression of TIP/CSEC, and rescue of victims.

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-- DOES THE GOVERNMENT HAVE A TRAFFICKING IN PERSONS WORKING GROUP OR SINGLE POINT OF CONTACT? Yes, the previously mentioned inter-institutional working group that developed a national plan against CSEC for 2002-2006 is essentially functioning as a task force on this issue. Immigration, along with the Migration Police and the Frontier Police as their enforcement arm and the Special Prosecutor Against Organized Crime as a key partner, are the lead government agencies on arrests and prosecutions of trafficking. The Special Prosecutor for Children has been extremely aggressive in combating CSEC, in conjunction with multiple GOH agencies

and NGOs.

-- DOES THE GOVERNMENT HAVE A PUBLIC CORRUPTION TASK FORCE?
The Superior Court of Accounts (TSC), created in January 2003, consolidated GOH anti-corruption institutions under one roof and is specifically charged with addressing corruption cases. The National Anti-Corruption Council collaborates and supports the TSC, however neither the council nor the TSC has demonstrated much success in combating corruption. As previously stated, trafficking cases allegedly involving the corruption of government employees are prosecuted by the Special Prosecutor for Human Rights.

1H. DOES THE GOVERNMENT HAVE A NATIONAL PLAN OF ACTION TO ADDRESS TRAFFICKING IN PERSONS? No, but the national plan against the commercial sexual exploitation of children (CSEC) for 2003-2006 addresses other TIP issues and thus is an important first step by the GOH in developing an overall coordinated plan. Currently, the 2006 goals of the inter-institutional commission against CSEC include finalizing a national plan of action against CSEC. Other important goals include conducting training seminars in CSEC to justice operatives; information campaigns on CSEC to high-level governmental employees; and lobbying for the ratification of international treaties concerning CSEC.

(NOTE: Ref A mislabeled question 22 by skipping E and I; Post has labeled it E-H instead of the F-J. END NOTE.)

Question 23.

INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

1A. DOES THE COUNTRY HAVE A LAW SPECIFICALLY PROHIBITING TRAFFICKING IN PERSONS - BOTH TRAFFICKING FOR SEXUAL EXPLOITATION AND TRAFFICKING FOR NON-SEXUAL PURPOSES (E.G. FORCED LABOR)? IF SO, WHAT IS THE LAW? IF NOT, UNDER WHAT OTHER LAWS CAN TRAFFICKERS BE PROSECUTED? FOR EXAMPLE, ARE THERE LAWS AGAINST SLAVERY OR THE EXPLOITATION OF PROSTITUTION BY MEANS OF COERCION OR FRAUD? ARE THESE OTHER LAWS BEING USED IN TRAFFICKING CASES? ARE THESE LAWS, TAKEN TOGETHER, ADEQUATE TO COVER THE FULL SCOPE OF TRAFFICKING IN PERSONS? The constitution, in Article 59, states that "the dignity of the human being is inviolable." Article 61 of the constitution also protects the inviolability of the life of Honduran citizens and foreign citizens in Honduras. The law prohibits alien smuggling, trafficking for sexual exploitation, and the trafficking or sale of children. In August 2005, Congress passed a reform to Chapter 2 of the Penal Code that now encompasses almost all forms of Commercial Sexual Exploitation and Trafficking in Persons with an increase in penalties and jail time. The legislation was signed on September 28, 2005, and published on February 4, 2006 in La Gaceta (the Honduran version of the Federal Registrar) making it enforceable. Prior to the passage of the new law, there were only various provisions in penal, child exploitation, and immigration statutes criminalizing trafficking, and enabling the government to prosecute traffickers. This new law is a watershed in the GOH's efforts to prevent and prosecute TIP.

The new legislation now recognizes public/private sexual exhibition of a minor, trafficking in persons, child pornography, and sex tourism as crimes under CSE. Article 149 prohibits the trafficking in persons and states that TIP includes facilitating, promoting, or executing of

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recruitment, and detaining, transporting, smuggling, delivery, or receiving of persons within or outside of the country with the intent of CSE. Article 149 provides for sentences of between 6 and 13 years with additional fines between USD 5,300 and USD 26,000. Those penalties are subject to increasing by half in the following instances: if the victims is a minor (under 18), if the offender used force, intimidation, deceit, or promise of employment; if

offender supplied drugs or alcohol to victim; if the offender took advantage of his business, occupation, or profession; and if the offender took advantage of confidence given to him by the guardians of the victim, or made payments, concessions, or loans to obtains their consent.

Additional reforms to the Criminal Code include outlawing psychological and physical involuntary bondage of a minor; where if that minor is under the age of 15, it provides a sentence of between 10 and 15 years. If a victim is below the age of 18 and above the age of 70 and is continuously sexually abused by an individual or individuals who possess some authoritative power over the victim, it provides a sentence of between 15 and 20 years. The act to induce another person into prostitution with intent to profit from it provides a sentence of between 5 and 10 years in prison and additional fine of between USD 5,291 to 26, 455. Any forms of exhibition of minors in lewd and lascivious acts also provides for a sentence of between 3 and 6 years of prison. In addition, knowingly infecting someone via sexual intercourse of an incurable infectious disease or the HIV/AIDS virus or aggravated assault involving penetration will provide for a sentence of between 15 and 20 years. Sexual acts with a minor shall be sanctioned by a 6 to 12 year imprisonment.

1B. WHAT IS THE PENALTY FOR TRAFFICKERS OF PEOPLE FOR SEXUAL EXPLOITATION? FOR TRAFFICKERS OF PEOPLE FOR LABOR EXPLOITATION? See answer to previous question.

1C. WHAT ARE THE PENALTIES FOR RAPE OR FORCIBLE SEXUAL ASSAULT? The penalties for rape are 10 to 15 years imprisonment. The penalties are subject to increasing to 15-20 years in the following instances: if victim is under the age of 14; if victim was deprived of reason or will, or for whatever other reasons, was physically incapable of resisting; if offender intentionally used any psychologically altering substances, including alcohol, in order to diminish or annul the will of the victim, including if victim was found by offender in such a state; if offender has custody or is guardian of victim and takes advantage of being such; and if offender commits crime knowing he/she has HIV/AIDS. Also subject to a 15-20 year penalty are rape cases in which the victim was pregnant, becomes pregnant as a result of the rape, and if the victim is above the age of 70. Also, all rapes are considered public crimes, so a rapist can be prosecuted even if the victim does not want to press charges.

-- HOW DO THEY COMPARE TO THE PENALTY FOR TRAFFICKING? They are not as strong as laws prohibiting alien smuggling, trafficking for sexual exploitation, and the trafficking or sale of children.

1D. IS PROSTITUTION LEGALIZED OR DECRIMINALIZED? SPECIFICALLY, ARE THE ACTIVITIES OF THE PROSTITUTE CRIMINALIZED? ARE THE ACTIVITIES OF THE BROTHEL OWNER/OPERATOR, CLIENTS, PIMPS, AND ENFORCERS CRIMINALIZED? IF PROSTITUTION IS LEGAL AND REGULATED, WHAT IS THE LEGAL MINIMUM AGE FOR THIS ACTIVITY? Prostitution is legal for adults, but illegal for minors. Article 148 of the Criminal Code prohibits promoting or facilitating the prostitution of adults and provides for sentences between five and eight years and a fine from USD 2,672 to 5,345.

1E. HAS THE GOVERNMENT PROSECUTED ANY CASES AGAINST TRAFFICKERS? Yes (see answer to question 18 B for more details). The GOH is in the process of investigating and prosecuting multiple cases against traffickers. There have also been numerous prosecutions against alien smugglers.

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-- IF YES, PROVIDE NUMBERS OF INVESTIGATIONS, PROSECUTIONS, CONVICTIONS, AND SENTENCES, INCLUDING DETAILS ON PLEA BARGAINS AND FINES. See 18 B for list of recent prosecutions.

-- ARE THE TRAFFICKERS SERVING THE TIME SENTENCED? IF NO, WHY NOT? See 18 B for list of recent prosecutions.

-- PLEASE INDICATE WHETHER THE GOVERNMENT CAN PROVIDE THIS INFORMATION, AND IF NOT, WHY NOT? Yes, the GOH is able to provide this information once prosecutions are complete.

1F. IS THERE ANY INFORMATION OR REPORTS OF WHO IS BEHIND THE TRAFFICKING? Most traffickers are suspected to be Honduran, Guatemalan, or Mexican "coyotes" and, in some cases, they are Chinese or Taiwanese traffickers.

-- ARE THERE ANY REPORTS OF WHERE PROFITS FROM TRAFFICKING IN PERSONS ARE BEING CHANNELED? Post is unaware of any reports regarding this.

-- ARE GOVERNMENT OFFICIALS INVOLVED? There is no evidence of the involvement of high-ranking Government officials in trafficking. However, there have been ongoing corruption problems in Honduran Immigration during 2005-6. As previously stated, individual low-ranking and mid-level employees of various Government agencies have been accused of taking bribes for alien smuggling/TIP.

-- ARE THERE ANY REPORTS OF WHERE PROFITS FROM TRAFFICKING IN PERSONS ARE BEING CHANNELED? The Special Prosecutor for Organized Crime reports that funds that have been captured in the transnational TIP-related cases above have been in the form of cash, vehicles, houses, and household goods.

1G. DOES THE GOVERNMENT ACTIVELY INVESTIGATE CASES OF TRAFFICKING? Yes, Immigration, with the Frontier Police as their enforcement arm and the Division of Migration Police investigators in the DGSEI and DATESI and the Special Prosecutor Against Organized Crime and the Special Prosecutor for Children, actively investigate cases of trafficking.

-- DOES THE GOVERNMENT USE ACTIVE INVESTIGATIVE TECHNIQUES IN TRAFFICKING INVESTIGATIONS? Yes.

-- TO THE EXTENT POSSIBLE UNDER DOMESTIC LAW, ARE TECHNIQUES SUCH AS ELECTRONIC SURVEILLANCE, UNDERCOVER OPERATIONS AND MITIGATED PUNISHMENT OR IMMUNITY FOR COOPERATING SUSPECTS USED BY THE GOVERNMENT? Electronic surveillance can be carried out for a determined length of time if authorized by a judge. Normally the judge grants 15 days, and an additional 15 days can be requested. The evidence can be used in court.

-- DOES THE CRIMINAL PROCEDURE CODE OR OTHER LAWS PROHIBIT THE POLICE FROM ENGAGING IN COVERT OPERATIONS? Honduran law forbids undercover operations, and evidence gathered through such operations is not generally admissible in court. However, according to the Supreme Court president, there are some limited ways of conducting undercover operations. In certain cases, with the approval of the prosecutor and the defense, mitigated punishment and immunity for cooperating suspects can be used by the GOH. This is a provision under the relatively new Code of Criminal Procedures.

1H. DOES THE GOVERNMENT PROVIDE ANY SPECIALIZED TRAINING FOR GOVERNMENT OFFICIALS IN HOW TO RECOGNIZE, INVESTIGATE, AND PROSECUTE INSTANCES OF TRAFFICKING? Yes, with the assistance of the USG. The Embassy has spent USD 350,000 in 2003-2005 in ESF Police Assistance Funds to support the Frontier Police to, among other goals, prevent and interdict the transportation of illegal immigrants, including trafficking in persons. Since 2002, U.S. Border Patrol has trained Frontier Police and Migration Police investigators on combating trafficking in persons, alien smuggling, and the protection of trafficking victims. Since 2004, NAS has

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received USD 1,063,184 to assist the different units of the Honduran Police. This assistance has been broken down as

follows: Joint Information Coordinated Center (JICC): USD 194,142; Special Vetted Unit: USD 215,000; Combined Operations: 447,183; Frontier Police: 206,859. Four courses were carried out in 2004, using the U.S. Border Patrol to teach investigation courses focusing on trafficking in persons and alien smuggling. The U.S. Border Patrol was in Honduras from January - November 2005, giving a continuous assessment to the Frontier Police. The Embassy is spending USD 320,000 in 2004-2006 in funds from G/TIP to provide training, technical assistance, equipment to police investigators and prosecutors on TIP, as well as public awareness campaigns on TIP. In addition, G/TIP spent approximately USD 43,000 in Honduras to fund Department of Justice Office of Prosecutorial Development and Training (OPDAT) classes November 16-18, 2004, for Honduran judges on TIP and TIP-related crimes. In January 2005, IOM using PRM funding, implemented a well-attended two-day seminar on trafficking to train mid- and high-level GOH officials on all aspects of the problem, from issues of definitions and terminology to case studies, international agreements, and national legislation. The Deputy Director of the Migration Police, who attended the IOM training, subsequently used the seminar materials to train all of her staff on recognizing and investigating TIP. The GOH has also received training from the Spanish police in Internet crimes, which should help the GOH investigate cases of internet-based CSEC, such as child pornography. Local CSEC commissions have done some training after CSE/TIPC seminars were held in their municipalities, including the training of local authorities and civil society in Tela. The GOH, in collaboration with several NGOs and other GOH entities, was able to carry out 17 seminars on CSEC to 740 justice operatives.

11. DOES THE GOVERNMENT COOPERATE WITH OTHER GOVERNMENTS IN THE INVESTIGATION AND PROSECUTION OF TRAFFICKING CASES? Yes. There has been cooperation between GOH officials and governments of countries where Honduran citizens are trafficking victims, including Canada, Guatemala, Mexico, and the U.S. For example, the Special Prosecutor for Children is working with her counterpart in Guatemala on locating and repatriating Honduran children who are victims of CSE/TIP in Guatemala.

12. DOES THE GOVERNMENT EXTRADITE PERSONS WHO ARE CHARGED WITH TRAFFICKING IN OTHER COUNTRIES? DOES THE GOVERNMENT EXTRADITE ITS OWN NATIONALS CHARGED WITH SUCH OFFENSES? The Honduran constitution prohibits the extradition of Honduran citizens (Article 102). This is unlikely to be changed in the near future. Honduras currently has extradition treaties with most countries in Central America (Costa Rica, El Salvador, Guatemala, Nicaragua, and Panama), Colombia, Mexico, Italy, and the U.S. The treaties allow for the extradition of non-Honduran citizens from Honduras. To the best of Post's knowledge, the issue of extraditing non-Hondurans charged with trafficking in other countries has not yet been tested.

13. IS THERE EVIDENCE OF GOVERNMENT INVOLVEMENT IN OR TOLERANCE OF TRAFFICKING, ON A LOCAL OR INSTITUTIONAL LEVEL? There is no institutional-level involvement in or tolerance of trafficking. However, there have been ongoing corruption problems in Honduran Immigration during 2005-6. There have also been other cases of low-level and mid-level corruption, as previously noted.

14. IF GOVERNMENT OFFICIALS ARE INVOLVED IN TRAFFICKING, WHAT STEPS HAS THE GOVERNMENT TAKEN TO END SUCH PARTICIPATION? As previously mentioned, there is no institutional-level involvement in or tolerance of trafficking. However, there have been ongoing corruption problems in Honduran Immigration during 2005-6.

-- HAVE ANY GOVERNMENT OFFICIALS BEEN PROSECUTED FOR INVOLVEMENT IN TRAFFICKING OR TRAFFICKING-RELATED CORRUPTION? Not to the best of Post's knowledge, but as previously noted there are ongoing alien smuggling-related investigations of

low-ranking national and municipal officials in Ocotepeque, Copan, and San Pedro Sula. The Director of Immigration, who was fired and arrested in May 2005, was charged with crimes relating to abuse of authority and facilitating the illegal entry into Honduras, partly for alien smuggling, but not TIP. His case is still pending.

1M. IF THE COUNTRY HAS AN IDENTIFIED CHILD SEX TOURISM PROBLEM (AS A SOURCE OR DESTINATION), HOW MANY FOREIGN PEDOPHILES HAS THE GOVERNMENT PROSECUTED OR DEPORTED/EXTRADITED TO THEIR COUNTRY OF ORIGIN? DOES THE COUNTRY'S CHILD SEXUAL ABUSE LAWS HAVE EXTRATERRITORIAL COVERAGE (LIKE THE U.S. PROTECT ACT)? Honduras has some child sex tourism on the North Coast and in San Pedro Sula, although the extent is unclear. The March 2002 Casa Alianza report mentioned above found 25 cases of CSEC in which the victims had sexual relations with foreigners. These cases were concentrated on the North Coast and in San Pedro Sula. The 2002 ILO/IPEC study mentioned above found that 46.5 percent of the CSEC victims in San Pedro Sula had had relations with foreign tourists. The CIPRODEH study also mentioned above notes the possible existence of child sex tourism in the Department of Atlantida (North Coast). Post has not seen evidence on any organized promotion of Honduras as a child sex tourism destination. See 18 B for information on Americans prosecuted for crimes against children. Post notes that most foreign pedophiles after initial arrest, or once under investigation, flee the country before GOH is able to prosecute. Post has not found information on the prosecution or deportation of non-American foreign pedophiles. Honduras's child sexual abuse laws do not have extraterritorial coverage, but sex tourism is included in the reform to the penal code on CSE/TIP. One hotel in Tegucigalpa is currently under investigation for permitting use of the hotel for CSEC. The penalties for hotel owners found guilty are significant and could be used also in connection to child sex tourism.

1N. HAS THE GOVERNMENT SIGNED AND RATIFIED THE FOLLOWING INTERNATIONAL INSTRUMENTS?

-- ILO CONVENTION 182 CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOR? Honduras became a party to ILO Convention 182 in June 2001.

-- ILO CONVENTION 29 AND 105 ON FORCED OR COMPULSORY LABOR? Yes, the GOH is a party to both conventions.

-- OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION, AND CHILD PORNOGRAPHY? Yes.

-- THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UN CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME? The GOH has not signed this protocol. The Charge and PolOff underlined the importance of the GOH signing and becoming a party to this protocol in a meeting with the Foreign Minister on February 18, 2005. The Foreign Minister said he would look into the issue and update the Embassy on any developments. PolOff followed-up with the Foreign Ministry in an October 13, 2005 demarche. The Charge sent a letter to the Foreign Minister on November 8, 2005 on the same issue. The Ambassador plans to send a letter to the new Foreign Minister in March 2006 urging the GOH's to sign and ratify this protocol.

Question 24.

PROTECTION AND ASSISTANCE TO VICTIMS:

1A. DOES THE GOVERNMENT ASSIST VICTIMS, FOR EXAMPLE, BY PROVIDING TEMPORARY TO PERMANENT RESIDENCY STATUS, RELIEF FROM DEPORTATION, SHELTER AND ACCESS TO LEGAL, MEDICAL AND PSYCHOLOGICAL SERVICES? IF YES, PLEASE EXPLAIN. IHNFA runs three centers for children, one in San Pedro Sula and two in Tegucigalpa, where it sends repatriated children before they

are transferred to longer-term care in coordination with the prosecutors for children. In 2000, the GOH inaugurated two Centers for the Attention of Returned Migrants in Tegucigalpa and San Pedro Sula to assist Hondurans deported from other countries to relocate in the country. The centers' activities continue with the assistance of international organizations, including IOM and NGOs, and until recently received funding from PRM via IOM. The GOH, with the technical assistance of the IOM, is currently seeking funding for the centers from DHS/ICE. As mentioned above, IOM and Immigration opened a migrant transition center in Choluteca in July 2004 that will be available for trafficking victims, although its primary purpose will be to house detained third country nationals awaiting deportation.

Casa Alianza runs three shelters, one of which is for girls who are victims of commercial sexual exploitation. This shelter was designed to expand efforts by Casa Alianza, which previously provided shelter to 160 children. It has a capacity for 20 girls and currently houses 16, from ages 12 to 17. This shelter provides complete legal, medical, and psychological assistance. There are NGO programs, such as the San Juan Bosco Center Project, which supports efforts to eradicate child labor in the informal sector in the city of Tela, particularly targeting girls that are victims of CSEC. Project PRODIM is seeking to help girls involved in prostitution in the city of Comayaguela, part of Tegucigalpa. There is also a women's shelter funded by the Irish Catholic Church assistance organization Trocaire that houses 15 victims of violence who are in need of protection as they press charges against their abusers. This shelter also has a non-residential program of assistance to 100 prostitutes, including training in alternative means of income generation. On April 22, 2004, Casa Alianza signed an agreement with the Ministry of Government and Justice and the Directorate of Immigration to protect CSE/TIP victims outside Honduras, and the GOH committed to informing Casa Alianza of any repatriation of minors. In practice, IHNFA, as the GOH entity responsible for child welfare, has retained the central role in this agreement.

Two GOH/IOM/Casa Alianza fact-finding trips were focused on the repatriation of deported minors: one in November 2004 and one in January 2005, both to border areas in the state of Ocotepeque. GOH was supposed to build a shelter in Santa Fe, Ocotepeque with support from the Office of the First Lady, IOM, and UNICEF. However, instead the GOH formed a strategic alliance with the Catholic Church in Yunque, Ocotepeque where there is a well-established shelter. As part of this alliance, IHNFA and IOM will handle USD 35,157 yearly and use of the IOM donated vehicle and other equipment in order to help returned minors, women and handicapped migrants in Ocotepeque. The location of this shelter is critical since all Hondurans who are repatriated from Mexico and Guatemala by land go through the border crossing in Ocotepeque. The GOH reported in February 2005 that 75,000 illegal Hondurans were deported from Mexico in 2004, compared to 53,000 in 2003 and 35,000 in 2002.

-- DOES THE COUNTRY HAVE VICTIM CARE AND VICTIM HEALTH CARE FACILITIES? IF SO, CAN POST PROVIDE THE NUMBER OF VICTIMS PLACED IN THESE CARE FACILITIES? There is limited public health care in Honduras due to financial limitations. There is one NGO-run shelter for battered women and children in Tegucigalpa that can accommodate 20 women and their families. The Canadian aid agency has funded two similar shelters, one in Choluteca and one in San Pedro Sula. There are a few other private centers for battered women that offer legal, medical, and psychological assistance, but not physical shelter.

1B. DOES THE GOVERNMENT PROVIDE FUNDING OR OTHER FORMS OF SUPPORT TO FOREIGN OR DOMESTIC NGOS FOR SERVICES TO VICTIMS? PLEASE EXPLAIN. No. As noted previously, the Government, as

in virtually every sector of victim assistance, lacks the resources necessary to assist victims of trafficking. It is not able to fund any NGOs to work in this area. However, the

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GOH works closely with NGOs on TIP. Several GOH entities, international organizations, and NGOs have participated in an inter-institutional working group that developed a national plan against CSEC for 2003-2006.

1C. IS THERE A SCREENING OR REFERRAL PROCESS IN PLACE, WHEN APPROPRIATE, TO TRANSFER VICTIMS DETAINED, ARRESTED OR PLACED IN PROTECTIVE CUSTODY BY LAW ENFORCEMENT AUTHORITIES TO NGOS THAT PROVIDE SHORT- OR LONG-TERM CARE? As previously stated, the GOH works closely with several NGOs, including Casa Alianza and NGOs that focus on domestic violence. For minors, law enforcement coordinates with IHNFA and the office of the Special Prosecutor for Children to arrange for care to be provided in GOH-run centers or by NGOs such as Casa Alianza. Casa Alianza reports that victims at its CSEC shelter are referred in five ways: by the organization's "street educators," which provide assistance to CSEC victims on the street, by the prosecutors for children, by IHNFA if its own centers are not adequate, and by their families or by themselves (they or their families learn about the shelter through Casa Alianza's community outreach). In the case of women, victims are referred to the Women's Rights Center and women's health centers by the GOH.

1D. ARE THE RIGHTS OF VICTIMS RESPECTED, OR ARE THEY ALSO TREATED AS CRIMINALS? ARE VICTIMS DETAINED, JAILED OR DEPORTED? IF DETAINED OR JAILED, FOR HOW LONG? ARE VICTIMS FINED? ARE VICTIMS PROSECUTED FOR VIOLATIONS OF OTHER LAWS, SUCH AS THOSE GOVERNING IMMIGRATION OR PROSTITUTION? Post is unaware of any cases of victims of trafficking being arrested in Honduras, although there is the possibility that third country nationals that are trafficking victims might have been arrested for Honduran immigration violations. As previously noted, prostitution by adults is legal in Honduras.

1E. DOES THE GOVERNMENT ENCOURAGE VICTIMS TO ASSIST IN THE INVESTIGATION AND PROSECUTION OF TRAFFICKING? The GOH actively seeks information on alien smuggling and trafficking from victims.

-- MAY VICTIMS FILE CIVIL SUITS OR SEEK LEGAL ACTION AGAINST THE TRAFFICKERS? Yes.

-- DOES ANYONE IMPEDE THE VICTIMS' ACCESS TO SUCH LEGAL REDRESS? No, however, because of widespread corruption in the judiciary, a victim of moderate means would face formidable legal obstacles against a well-financed accused trafficker.

-- IF A VICTIM IS A MATERIAL WITNESS IN A COURT CASE AGAINST THE FORMER EMPLOYER, IS THE VICTIM PERMITTED TO OBTAIN OTHER EMPLOYMENT OR TO LEAVE THE COUNTRY? There has been some witness protection and relocation in other court cases.

-- IS THERE A VICTIM RESTITUTION PROGRAM? Victims may seek compensation for pain and suffering within the penal process or separately.

1F. WHAT KIND OF PROTECTION IS THE GOVERNMENT ABLE TO PROVIDE FOR VICTIMS AND WITNESSES? DOES IT PROVIDE THESE PROTECTIONS IN PRACTICE? As previously stated, there has been some witness protection and relocation in other court cases. In November 2004 the GOH released a "Provisional Strategy for the Protection of Witnesses, Experts, Victims, and Others Involved in the Penal Process." This is currently a government policy, but the Inter-institutional Commission of Penal Justice is formulating a draft law that will go to the Supreme Court for its judicial opinion and then to Congress for action. This commission includes the Supreme Court, Public Ministry, Ministry of Public Security, Ministry of

Government and Justice, Congress, and the Public Defender's Office.

-- WHAT TYPE OF SHELTER OR SERVICES DOES THE GOVERNMENT PROVIDE? DOES IT PROVIDE SHELTER OR ANY OTHER BENEFITS TO VICTIMS FOR HOUSING OR OTHER RESOURCES IN ORDER TO AID THE

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VICTIMS IN REBUILDING THEIR LIVES? The GOH does not provide shelter or housing benefits in order to aid victims rebuilding their lives primarily because it lacks the resources to do so.

-- WHERE ARE CHILD VICTIMS PLACED? The NGO Casa Alianza has some shelters that act as temporary foster-care type systems. Depending on the case, IHNFA may have jurisdiction over determining the child's relocation.

1G. DOES THE GOVERNMENT PROVIDE ANY SPECIALIZED TRAINING FOR GOVERNMENT OFFICIALS IN HOW TO PROVIDE ASSISTANCE TO TRAFFICKED VICTIMS, INCLUDING THE SPECIAL NEEDS OF TRAFFICKED CHILDREN? As previously stated, Frontier Police and Migration Police investigators continue to be trained by U.S. Border Patrol on combating trafficking in persons and alien smuggling, including training on the protection of trafficking victims. The GOH does not have the resources to provide this training itself; it relies on international assistance to implement TIP-specific training.

-- DOES THE GOVERNMENT PROVIDE TRAINING TO ITS EMBASSIES AND CONSULATES IN FOREIGN COUNTRIES THAT ARE DESTINATION OR TRANSIT COUNTRIES? Yes. Honduran Consular Officers receive general training in assistance to Honduran citizens living abroad prior to being assigned to an embassy or consulate. The Ministry of Foreign Affairs Consular Affairs' Office has said that Honduran Consular Officers in countries with large numbers of trafficking victims (Guatemala and Mexico, as well as the U.S.) are especially attuned to the problems of migrants, including those who are victims of trafficking.

-- DOES IT URGE THOSE EMBASSIES AND CONSULATES TO DEVELOP ONGOING RELATIONSHIPS WITH NGOS THAT SERVE TRAFFICKED VICTIMS? Yes. Honduran Consular Officers work with Casa Alianza to help trafficking victims. Due to limited government funds, GOH officials, including embassy/consular employees, work with host country governments, international organizations, and NGO's to help finance the repatriation of Hondurans trafficking victims in other countries.

1H. DOES THE GOVERNMENT PROVIDE ASSISTANCE, SUCH AS MEDICAL AID, SHELTER, OR FINANCIAL HELP, TO ITS REPATRIATED NATIONALS WHO ARE VICTIMS OF TRAFFICKING? As previously stated, in 2000, the GOH inaugurated two Centers for the Attention of Returned Migrants in Tegucigalpa and San Pedro Sula to assist Hondurans deported from other countries to relocate in the country. The centers' activities continued during the year, with the assistance of international organizations, including IOM and NGOs. As previously noted, in Yunque, Ocotepeque, the GOH has formed an alliance with the Catholic Church, IOM, and IHNFA to help returned minors, women with children and handicapped migrants. Also as noted previously, the Government, as in virtually every sector, lacks the resources necessary to address this problem sufficiently.

1I. WHICH NGOS, IF ANY, WORK WITH TRAFFICKING VICTIMS? Casa Alianza works closely with children who are trafficking victims. Other NGOs that work with trafficking victims include Save the Children UK, the Women's Rights Center, and the Center for the Study of Women - Honduras (CEM-H).

-- WHAT TYPE OF SERVICES DO THEY PROVIDE? Casa Alianza assists in the repatriation of trafficking victims and provides shelter and assistance for victims of trafficking and commercial sexual exploitation. Other NGOs provide information and support services.

-- WHAT SORT OF COOPERATION DO THEY RECEIVE FROM LOCAL AUTHORITIES? Several NGOs, especially Casa Alianza, work closely with the GOH on TIP and receive good cooperation.

Question 25: TIP HEROES:

Note: The nominee has been vetted by Post and has no visa ineligibilities or other derogatory information. End Note.

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Post would like to nominate the following individuals as TIP heroines:

Special Prosecutor for Children Nora Suyapa Urbina Pineda is a high-profile voice calling for stronger efforts against TIP, especially CSEC. Urbina worked tirelessly for the passage of the anti-CSE/TIP legislation and frequently made public statements about CSEC and other crimes against children. She has been very aggressive in using her office to combat CSEC, including raids of centers of possible underage prostitution.

Ambassador Maria Soledad Funes Donaire de Ramirez Soto was the GOH delegate to the OAS Inter-American Commission on Women and the principal driving force behind the recent successful efforts to reform the penal code to enable stronger prosecution of commercial sexual exploitation and other trafficking crimes. She worked to galvanize support within the GOH for anti-TIP efforts, especially through the inter-institutional commission on CSEC. She has also been a strong high-profile voice for raising awareness of these crimes in Honduras. Although she no longer has an official GOH position, she bears much of the credit for the new TIP/CSE legislation.

Question 26.

BEST PRACTICES:

The Inter-institutional Commission on CSEC has grown to include 52 GOH entities, NGOs, and international organizations, and has been instrumental in unifying these disparate organizations around the goal of combating CSE/TIP. The commission has served as a forum for discussing legislation related to TIP, the National Plan of Action, and the anti-CSEC efforts of the members so as to complement and not duplicate efforts. The Embassy has worked closely with this commission to bring in U.S. speakers, both from a NGO and G/TIP, to address regional seminars held on preventing and combating CSE/TIPC.

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